

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EDWARD THOMAS KENNEDY,  
Plaintiff.

v.

Civil No. 3-19-cv-01476

BOROUGH OF FRACKVILLE  
PENNSYLVANIA, et al.,  
Defendants.

**MOTION AND MEMORANDUM**

I, Edward Thomas Kennedy, am one of the people of Pennsylvania, and in this court of record hereby Notices this Court of his Motion and Objects to Orders (Doc 6 and 7) signed by the Magistrate, Susan E. Schwab, and thus and hereby motions the court in accordance with the provisions of 28 U.S. Code § 636, that Plaintiff declines to have a United States Magistrate Judge conduct any proceedings in this case and the Plaintiff hereby requests that this case be assigned to United States District Judge to obey the rule of law.

Memorandum

The Supreme Court of the United States said that "Recusal is required when, objectively speaking, 'the probability of actual bias on the part of the judge or decision maker is too high to be constitutionally tolerable.'"<sup>1</sup>

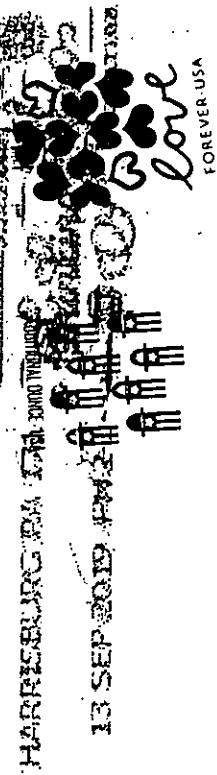
<sup>1</sup> RIPPO v. BAKER, <https://www.law.cornell.edu/supremecourt/text/16-6316#>; Rippo v. Baker, 137 S. Ct. 905 - Supreme Court 2017

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **MOTION AND MEMORANDUM** was served the Clerk of this court by regular US mail.

Date: September 13, 2019

*/s/ Edward Thomas Kennedy*  
Edward Thomas Kennedy



Edward Thomas Kennedy  
800 Court St., Apt. 223  
Reading, PA 19601

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vs. Dis het Count, 41 D Pa.  
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